## VIRGINIA DEPARTMENT OF SOCIAL SERVICES

#### **DIVISION OF HUMAN RESOURCES**

### 2.19 Temporary Workers

The Virginia Department of Social Services (VDSS) uses the Commonwealth's Department of Human Resource Management (DHRM) Policy 2.20 – as the <u>foundation</u> for establishing guidance relative to temporary workers. Employees should refer to DHRM's website <u>and</u> this VDSS guidance for information about the use of temporary workers to augment the agency's workforce.

The following link connects to DHRM Policy 2.20, Types of Employment: http://www.dhrm.virginia.gov/hrpolicy/web/pol2 20.html#top

### **VDSS Guidance**

### **AUTHORITY, INTERPRETATION, AND REVISION:**

This Standard Operating Procedure (SOP) is issued by the VDSS. The VDSS Director of Human Resources (HR) or designee is responsible for the interpretation of this SOP and for its revision or rescission.

#### I. PURPOSE

The Virginia Department of Social Services (VDSS) uses temporary workers to augment its workforce as needed to fulfill the mission of the agency. This guidance provides parameters regarding the attainment and use of temporary workers.

#### II. APPLICATION

This guidance applies to wage (P-14 or hourly) employees and contract staff (temporary workers or "contract employees") procured through temporary staffing/employment agencies.

### III. WAGEEMPLOYEES

## A. Employment Practices

- 1. Wage employees are limited to working no more than 1500 hours during the 12 month employment cycle. The cycle begins on May 1 and concludes on April 30 of the following year.
- Supervisors are responsible for monitoring work schedules to ensure compliance with the 1500 hour limitation. An average weekly work schedule of no more than 29 hours or less should fulfill this requirement. The Time, Attendance, and Leave (TAL) system tracks wage hours. TAL sends reminders once wage employees have worked 1,000 hours and again at 1,400 hours. Supervisors can run reports as needed in TAL or consult with HR for assistance.
- Once a wage employee works 1500 hours during a 12 month cycle, the wage employee
  must stop working. No exceptions. Requests to extend the assignment will not be
  approved.
- 4. Wage positions/employees may be renewed at the beginning of the next 12 month cycle (May 1). For wage renewal consideration, the hiring authority must complete the <a href="Wage Position Renewal form">Wage Position Renewal form</a> and submit it to HR.
- 5. Employment practices must adhere to state and federal non-discrimination rules and recruitment guidelines. Refer to Commonwealth DHRM policy for additional information.

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### B. Recruitment

- Requests to fill wage positions require prior approval. HR facilitates the approval process. The hiring authority must complete an <u>Agency Hiring Request form</u> and submit it to HR.
- 2. Once approval is granted, HR will notify the hiring authority. The notification will include instructions and solicit information to initiate the recruitment process. HR will notify the hiring authority if the request is denied also.
- 3. Recruitment may be competitive or non-competitive. Applicants or candidates for wage positions must possess the same qualifications as those required for similar classified positions. Prior to an offer, the hiring authority must consult with HR to determine if the candidate/applicant meets the minimum qualifications for the position.
- 4. An employment application must be completed using the Commonwealth's Recruitment Management system. Criminal history and <u>reference checks</u> also must be completed.

### C. Performance

- Wage employees must work under a performance plan and their work should be reviewed periodically. Supervisors should complete the planning portion of the <u>Wage</u> <u>Staff Performance Planning and Evaluation Form</u> within 30 days of the wage employee's employment or renewal date.
- 2. Performance reviews must be completed on wage employees using the same periodic timeframes used for classified employees.
- 3. Performance responsibilities/plans, monitoring, and reviews should be based on agency business needs. Focus should be on the critical reason the position exists or was requested and the expected results from having the position filled.

### D. Compensation

- Wage positions are not classified to a pay structure. A range is set for each wage
  position based on other positions with similar responsibilities, reporting structure, etc.
  The hiring authority must consult with HR to determine the pay range for wage
  positions.
- Starting pay must be at least the minimum of the position range and cannot exceed the
  maximum of the position range. The pay can be negotiable between the minimum of
  the position range and up to 15% above the applicant's current or most relevant
  (hourly) rate of pay.
- 3. Once starting pay is set, the pay remains the same for the duration of the wage assignment. If renewed, the wage employee's pay may be re-negotiated subject to the agency's Salary Administration Plan.

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#### IV. CONTRACT STAFF

- A. Contract staff may be procured using the General Services Guideline and Procedures outlined in the Purchasing and eVA Guide. To procure contract staff, the agency is authorized to use the Temporary Services contract set up by the Commonwealth's Department of General Services Division of Purchases and Supply. For additional information and instructions, consult with the VDSS General Services Senior Buyer assigned to the requesting Division and/or to General Services guidance.
- B. The use of contract staff should never be used as a way to circumvent the hiring process for wage and classified positions. All requests for contract staff must be approved by the appropriate Division Director.
- C. Responsibilities for the contract staff should be well defined and necessary to agency business need. The cost of the contract staff is based on the level and complexity of their work assignment.
- D. Supervisors must monitor the work of contract staff to ensure desired results are achieved based on the agency's business needs. Timesheets will be provided by the Temporary Staffing Agency (sometimes referred to as the "Contractor") and should be reviewed and approved by the supervisor.
- E. Contract staff must successfully complete a criminal history check before working at DSS. If the contractor does not provide a criminal history report, HR will conduct a criminal history check as required.

### V. EXPLANATION OF TERMS USED

<u>Classified Position</u> – Salaried position assigned to an Occupational Family and Career Group based on duties and responsibilities, and to a Role Code based on the compensable factors of Complexity, Results, and Accountability. These groups and factors are provided by the Commonwealth's Department of Human Resource Management.

<u>Contract Staff</u> – Contract staff are not employees of the agency. They are employees of the temporary employment/staffing agency which has a contract with the Commonwealth of Virginia.

<u>TAL</u> – The <u>Time</u>, <u>Attendance</u> and <u>Leave</u> system used by VDSS to monitor and track employee attendance and leave. The system also provides for the reporting of employee hours worked.

<u>Temporary Staffing Agency</u> – The "contractor" that employs the contract staff and assigns the contract staff to work at the VDSS. The temporary staffing agency is responsible for paying the contract staff and any other processes related to employment.

<u>Wage Employee</u> – An employee who receives pay for hours worked rather than a fixed salary. Wage employees are sometimes referred to as hourly or P-14 employees.

# VI. OTHER REFERENCES

<u>Policy 2.20 modification</u>
FAQs regarding the PPACA as it relates to state wage employees